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Tampering in San Diego

The administration sent one of its ablest Justice Department attorneys before the Senate Judiciary Committee to denounce as scurrilous and irresponsible LIFE's recent investigative report of tampering with justice in San Diego. But then Assistant Attorney General Henry Petersen got down to discussing the charges. Yes, it was true that the U.S. attorney in San Diego, Harry Steward, had tried to shut off an investigation of an illegal political contribution to Nixon's 1968 presidential campaign. He did so on behalf of a friend and prominent Republican fund-raiser who helped get Steward his U.S. attorney's job.

But, said Petersen, this was not criminal behavior on Steward's part, and a show of public confidence in Steward was necessary because he had a big tax case coming up to prosecute. So in February 1971 the Justice Department proclaimed its "full confidence" in him. At various times in his testimony last week, Petersen called Steward's action "highly improper," "woefully indiscreet," "a serious mistake." Was there anything to the allegations which Steward had refused to investigate? "If you want my honest opinion, Senator, I think there was a violation of the law." Petersen also testified that if Steward had been a career man, he might have faced some punishment—suspension, probation or transfer. "But a presidential appointee is kind of an either/or situation." Steward remains U.S. attorney in San Diego. And while the public was told by Richard Kleindienst (now up for confirmation as U.S. attorney general) that Steward had been given a clean bill of health, it turns out that Kleindienst had privately admonished Steward for improper conduct.